

DOCKET NO.: BELL-0128/01181
Application No.: 09/965,984
Office Action Dated: April 19, 2005

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

In response to the Office Action dated April 19, 2005, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1, 3, 5-18, 22-26, and 28-42 are pending in the present application. Claims 1 and 22 are amended herein. Claims 31-42 are added herein. No claims have been cancelled.

Examiner Interview

The Applicants would like to thank the Examiner for participating in the Interview held on May 16, 2005. The amendments shown above and described below were discussed during the Interview.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-3, 5-16, 22-23, 25, and 28-30

In the Office Action, Claims 1-3, 5-16, 22-23, 25, and 28-30 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,226,510 to Boling et al. (“Boling”) in view of U.S. Patent No. 5,625,668 to Loomis et al. (“Loomis”) and further in view of U.S. Patent No. 6,295,346 to Markowitz et al. (“Markowitz”). Applicants respectfully request reconsideration and withdrawal of these rejections.

Independent claims 1 and 22 have been amended and, as amended, patentably define over the art of record for at least the following reason. Claims 1 and 22 include features that are neither taught nor suggested by the art of record.

Boling describes a hand-held wireless communication apparatus that operates to communicate emergency information to a private emergency response service. The communicated information may include the identity and the location of the person experiencing the emergency (*Boling, column 4, lines 4-25*). The private service, after receiving the information, then forwards the information to individuals identified on a contact list (*Boling, column 4, lines 8-11*). After the information is relayed to the private service, the apparatus then communicates the necessary information to a public emergency response service (*Boling, column 4, lines 26-30*).

In the rejection, the Examiner turns to Loomis for the concepts of converting location information into a street address. Loomis discloses a location system that incorporates a global positioning system (GPS) to provide the location information, in the form of latitude and longitude signals, of a cellular device to a cellular station. The cellular station provides the information to a database processing facility in order to convert the latitude and longitude information into a street address (*Loomis, column 2, lines 30-45*). Then the street address is communicated from the database facility to another facility for taking appropriate action on the received information.

The Examiner notes that neither Boling nor Loomis teach that a base station provides the notification message to both a public emergency response service and to pre-specified contacts, as claimed in independent claims 1 and 22, but turns to Markowitz for this teaching. Markowitz is directed to an automated emergency notification system that utilizes a service provider network for interconnecting a calling party to an emergency service provider and contacts of the calling party. The system described in Markowitz operates by a calling party, experiencing some sort of emergency situation, calling into a network and providing an emergency service provider number to contact. The network provides a connection between the calling party and the emergency service provider (*Markowitz, column 2, lines 45-62*) while also contacting the contacts of the calling party (*Markowitz, column 2, lines 64-67*).

In contrast to the combination of Boling, Loomis, and Markowitz, claim 1, as amended, recites that a location signal is received “at a base station from a remote device” and that a street address is determined from the signal. Contacts and an emergency service are provided with “a respective notification message that contains identification data corresponding to an identity of the subscriber and the street address associated with the location of the device.” Furthermore, an “updated notification message” is obtained and provided, “wherein the updated notification message reflects a current location of the device.” Therefore, an emergency provider and contacts are notified if the remote device has changed location and, if so, of the new location. Furthermore, this new information is relayed “until a deactivation event occurs.” Neither Boling, Loomis, nor Markowitz teach or suggest, either alone or in combination, the concept of obtaining and providing updated location information to the emergency provider and the specified contacts until a deactivation

event occurs. In fact, in Boling the user of the hand-held wireless communication apparatus must depress a button on the apparatus in order to signal that an emergency is occurring. Boling states that the GPS receiver determines “the location of the phone/pager **when the emergency response button is pressed,**” (*Boling, column 10, lines 16-19*). Therefore, in Boling, updated notifications are not transmitted as user interaction is required. In contrast, claim 1 recites the updated information is obtained “from the remote device,” which does not require user interaction for the transmission of updated information. Since the GPS receiver in Boling is only activated upon the pressing of the button, it would not be obvious to modify Boling to send updated information after the initial response since the user of the system of Boling is in an emergency situation and is likely not able to proceed accordingly. Furthermore, there is no mention in Boling as to a deactivation event that stops the relay of updated location information.

In addition, neither Loomis nor Markowitz remedy the deficiency of Boling as Loomis is simply directed to converting, through the use of databases, longitude and latitude information into a street address; and Markowitz teaches a system that provides a connection between a calling party and an emergency service provider. Neither provide updated notification messages or mention a deactivation event. And in Markowitz, only a “predefined message” is supplied to the calling party’s contacts (*Markowitz, column 4, lines 10-14*), which obviously cannot include any location information as this information is not known before the actual occurrence of the emergency.

Similar to claim 1, claim 22, as amended, recites a system that receives “location signals that represent a current location of a GPS receiver” and “provides to each of the plurality of contact and to an emergency service” both a notification message and an updated notification message that “reflects a current location of the device.” For the reasons stated above in regard to amended claim 1, the combination of Boling, Loomis, and Markowitz fails to disclose or suggest that an updated notification message is obtained and provided “to each of the plurality of contacts and to the emergency service until a deactivation event occurs.”

Therefore, Applicants respectfully request the withdrawal of the 103(a) rejections of claim 1 and claim 22.

Because dependent claims 3, 5-16, 23, 25, and 28-30 all directly or indirectly depend on independent claims 1 or 22, the rejections of the dependent claims cannot stand for at least the same reasons noted by Applicants above, and the withdrawal of the 103(a) rejections against claims 3, 5-16, 23, 25, and 28-30 is respectfully requested.

Claim 17

Claim 17 is rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over the combination of Boling, Loomis, and Markowitz and further in view of U.S. Patent No. 6,340,928 to McCurdy (“McCurdy”). Applicants respectfully request reconsideration and withdrawal of this rejection. Claim 17 patentably defines over the art of record for at least the following reason. Claim 17 includes features that are neither taught nor suggested by the art of record.

Because claim 17 is indirectly dependent upon independent claim 1, claim 17 is patentable, at least, for the reasons stated above in respect to claim 1. The McCurdy reference, which is directed to a system for automatically contacting an emergency station in the event of an automobile collision (*McCurdy, column 2, lines 57-64*) and providing information, including vehicle position, to the emergency station (*McCurdy, column 3, lines 1-5*), does not remedy the deficiency of the combination of Boling, Loomis, and Markowitz. Accordingly, Applicants respectfully request the withdrawal of the 103(a) rejection of claim 17.

Claim 18

Claim 18 is rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over the combination of Boling, Loomis, and Markowitz and further in view of U.S. Patent No. 5,805,670 to Pons et al. (“Pons”). Applicants respectfully request reconsideration and withdrawal of this rejection.

Because claim 18 is dependent upon independent claim 1, claim 18 is patentable, at least, for the reasons stated above with respect to claim 1. The Pons reference, disclosing a notification system for communicating 911 information to several recipients, does not remedy the deficiency of the combination of Boling, Loomis, and Markowitz. Accordingly, Applicants respectfully request the withdrawal of the 103(a) rejection of claim 18.

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Claims 24 and 26

Claims 24 and 26 are rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over the combination of Boling and Loomis and further in view of U.S. Patent No. 6,442,241 to Tsumpes (“Tsumpes”). Applicants respectfully request reconsideration and withdrawal of this rejection.

Because claims 24 and 26 are dependent upon independent claim 22, claims 24 and 26 are patentable, at least, for the reasons stated above with respect to claim 22. The Tsumpes reference, disclosing an event notification system that uses a plurality of communication channels to relay the occurrence of a specific event to a plurality of contacts, does not remedy the deficiency of the combination of Boling and Loomis. Accordingly, Applicants respectfully request the withdrawal of the 103(a) rejection of claims 24 and 26.

Support for Claim Amendments

The claim amendments are supported by the originally-filed specification and do not introduce new matter. The claim amendments are supported at least by page 7, lines 15-18; page 7, line 31 – page 8, line 1; page 9, line 15 – page 13, line 14; and page 13, line 15 – page 14, line 11.

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Conclusion

For all the foregoing reasons, Applicants respectfully submit that the pending claims patentably define over the cited art. Accordingly, a Notice of Allowance for claims 1, 3, 5-18, 22-26, and 28-42 is respectfully requested. In the event, however, that the Examiner believes that the application is not allowable for any reason, the Examiner is encouraged to contact the undersigned agent to discuss resolution of any remaining issues.

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Erin E. Pacella

Erin E. Pacella
Registration No. 56,239

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439